

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTOINE WAINWRIGHT,

Plaintiff,

v.

Case No. 06-cv-402-JPG

DONALD HULICK, ALAN UCHTMAN,
MAJOR WINE, S.P. FURLOW, MAJOR
REDNOW, MAJOR INMAN, LT.
KORANDO, LAWRENCE KANIA,
TERRY HASEMEYER, JASON VASQUEZ
and ALLEN MARTIN,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 40) of Magistrate Judge Philip M. Frazier recommending that the Court grant the defendants’ motion for summary judgment (Doc. 36) and dismiss this case without prejudice for failure to exhaust administrative remedies.

After reviewing a magistrate judge’s report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the Report in its entirety (Doc. 40), **GRANTS** the defendant’s motion for summary judgment (Doc.

36), **DISMISSES** the remaining claims in this case **without prejudice** for failure to exhaust administrative remedies, and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: June 16, 2008

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE